

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, AUGUST 18, 1999
7:00 P.M.**

1. ROLL CALL

Present: Council Members – Hitchcock, Mann, Nakanishi, Pennino and Land (Mayor)

Absent: Council Members – None

Also Present: City Manager Flynn, Deputy City Manager Keeter, Public Works Director Prima, Community Development Director Bartlam, Police Chief Hansen, Parks and Recreation Director Williamson, City Attorney Hays and City Clerk Reimche

2. INVOCATION

The invocation was given by Pastor Glenn Foo Sum, Century Assembly.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Boy Scouts of America, Troop No. 199.

4. AWARDS / PROCLAMATIONS / PRESENTATIONS

- a) Agenda item #D-3(a) entitled, "Presentation by the Greater Lodi Area Youth Commission regarding Honoring Teens Program: Lydia Cao" was pulled from the agenda pursuant to staff's request.
- b) Mayor Land presented Certificates of Appreciation to the following retiring members from the Greater Lodi Area Youth Commission:
 - Mena Khan
 - Mike Rouzer
 - Charlie Tyler
 - Bobby Whitmire
 - Dr. Ken Mullen *Adult Advisor*
- c) Agenda item #D-3(c) entitled, "Presentation by Pacific Bell regarding *Pow Wow in the Parks Program*" was pulled from the agenda pursuant to staff's request.

5. CONSENT CALENDAR

In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Hitchcock, Pennino second, unanimously approved the following items hereinafter set forth **except those otherwise noted**:

- a) Claims were approved in the amount of 4,947,667.45.
- b) The minutes of August 4, 1999 (Regular Meeting) were approved as written.
- c) Agenda item #E-3 entitled, "Plans and specifications and advertisement for bids for satellite maintenance building and restrooms for Peterson Park" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.
- d) Approved the specifications for Lane Line Painting, Various City Streets, 1999, and authorized advertising for bids.

- e) Agenda item #E-5 entitled, "Purchase of Fortis document imaging system and hardware to allow for Internet access to documents under the custody of the City Clerk's Office" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.
- f) Adopted Resolution No. 99-118 authorizing the purchase of one Minolta EP5000 photocopier from Business Office Systems, Stockton, under provisions of an equipment contract between the County of San Joaquin and Minolta Corporation, in the amount \$8,964.80.
- g) Adopted Resolution No. 99-119 awarding the contracts for various items of overhead and underground distribution hardware, under a supply agreement covering Fiscal Years 1999-2001, to the low evaluated bidder in each hardware category detailed below:

Category 1 (Wood Crossams)	General Pacific, Portland, OR	\$ 5,945.65
Category 2 (Overhead Hardware)	Southwest Power, Concord, CA	\$12,327.32
Category 3 (Electrical Tape)	Intraline, Burlingame	\$
2,713.15		
Categories 4 & 5 (Underground Hardware)	Western States Electric, Portland, OR	\$11,676.86
Category 6 (Underground Rubber Products)	Western States Electric, Portland, OR	\$17,413.48
	Estimated annual total	\$50,076.46

(Due to a conflict of interest, Council Member Pennino abstained from discussion and voting on this matter.)

- h) Accepted the improvements under the "Hazard Elimination and Safety (HES) Grant Intersection Lighting" contract and directed the City Engineer to file a Notice of Completion with the County Recorder's office.
- i) Adopted Resolution No. 99-120 approving the renewal of the lease agreement for 111 North Stockton Street, Unit A (Recreation Annex)
- j) Adopted Resolution No. 99-121 authorizing the City Manager to execute the contract pertaining to federal transit capital and operating funds (Project No. CA-90-X889).
- k) Adopted Resolution No. 99-122 authorizing the City Manager to submit Transportation Enhancement Activities (TEA) Project applications to Caltrans.
- l) Authorized the City Manager to execute an agreement with Pacific Bell Mobile Services (PBMS) for the lease of property at the Municipal Service Center (MSC) for the purpose of installing a small equipment building on City property and co-locating its facilities with the existing AT&T facilities on a tower at that location.
- m) Adopted Resolution No. 99-123 authorizing the City Manager and City Clerk to execute grant deeds to Pacific Coast Producers (PCP) and Scientific Specialties to convey excess property along the newly acquired Guild Avenue right of way and also authorized them to execute the map and deeds to PCP as needed in conjunction with the filing of the parcel map and exchange of property on Guild Avenue at Lodi Avenue.
- n) Agenda item #E-14 entitled, "Authorize City Manager to execute professional services agreement with Parsons Harland Bartholomew & Associates for the preparation of an Environmental Impact Report (EIR) for the ProStyle Sports Complex" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.
- o) Authorized the City to join the amicus brief in the case of Griffith v. Santa Cruz, Court of Appeal, 6th District.

- p) Authorized the City to join the amicus brief in the case of Haas v. County of San Bernardino, Supreme Court Case No. S076868.
- q) Authorized the City to join the request to Supreme Court to review the case of Gammoh v. City of Anaheim.
- r) Adopted Resolution No. 99-124 approving the standardization of demand and time-of-use solid state meters from one manufacturer, Schlumberger. **(Due to a conflict of interest, Council Member Pennino abstained from discussion and voting on this matter.)**
- s) Adopted Resolution No. 99-125 approving a Public Benefits Program Grant (Demand-side Management Project) to Fairmont Sign Company, in the amount of \$38,110. (The funds will be utilized for the purchase of energy efficient warehouse lighting, highly efficient heating, ventilation and air conditioning equipment and energy management system controls.) **(Due to a conflict of interest, Council Member Pennino abstained from discussion and voting on this matter.)**
- t) Agenda item #E-20 entitled, "United States Department of Energy Western Area Power Administration Central Valley Project, California Contract Amendment for a Right to Purchase Electric Service under the 2004 Power Marketing Plan with the City of Lodi" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.
- u) Adopted Resolution No. 99-127 approving the purchase of a voicemail system upgrade from Lucent-Technologies, Octel Messaging Division and a telephone system upgrade from Williams Communications in the amount of \$159,356.67.

6. ACTION ON ITEMS REMOVED FROM THE CONSENT CALENDAR

- a) Agenda item #E-3 entitled, "Plans and specifications and advertisement for bids for satellite maintenance building and restrooms for Peterson Park".

Parks and Recreation Director Williamson reminded the City Council that the development plans for Peterson Park included the construction of permanent restroom facilities. Staff has studied, reviewed and consulted with various restroom manufacturers over the last six months in order to come up with the best facility to meet our needs including durability, low maintenance and costs as well as for future growth. Staff has designed a restroom facility along with an adjoining maintenance facility that can be built as a modular unit and transported to the site or built the conventional way on site.

The restroom facility is designed with the maintenance area component that will allow Peterson Park to act as a satellite operation to serve Graves Park and the new Katzakian Park. Using the maintenance storage area to store scooters, tools, small equipment, and supplies helps cut down on driving and hauling equipment and supplies from our headquarters on Stockton Street, which is presently being done by maintenance staff. Staff would like to move forward with the bidding process requesting bids on two different sized buildings. The smaller unit is approximately 559 square feet and includes a maintenance area and two toilets/urinals in each restroom. The larger unit is approximately 624 square feet, includes three toilets/urinals in each restroom, and would accommodate future growth of the area and higher use of the park.

The Parks and Recreation Commission reviewed the project at their June 1, 1999 meeting. The Commission supported the idea of a restroom facility, however, there was much discussion and concern on the cost of the facility. Their final action, on a 3-0 vote, was to recommend to Council the building of a restroom facility with size and cost considerations to be determined by Council.

Upon receipt of bids, staff will return to Council to address low-bidder costs and appropriate size to construct. A representative of modular restroom buildings will be present to answer any questions as to costs, construction or related matters.

Council Member Pennino stated that he removed this item because of his concerns regarding the estimated costs involved for this project.

Also, addressing the City Council regarding this matter was Parks Superintendent Dauber and Chuck Kaufman, representing Restroom Facilities Corporation. Mr. Kaufman explained that Restroom Facilities Corporation has designed their structures to meet or exceed a 50-year useful design life with little maintenance and spoke in detail about the integrity of the building materials used.

Following additional discussion, the City Council, on motion of Mayor Pro Tempore Mann, Nakanishi second, unanimously approved the plans and specifications for Peterson Park maintenance satellite and restroom building and authorized advertisement for bids.

- b) Agenda item #E-5 entitled, "Purchase of Fortis document imaging system and hardware to allow for Internet access to documents under the custody of the City Clerk's Office".

Information Systems Manager Helmle reported that the City Clerk's Office, over the course of the last year, has scanned approximately 25,000 pages of documentation into the FileMagic system to include resolutions, public hearings, council communications and more than 20 years of City Council minutes. The information is currently only available at 10 workstations as per the licensing agreement, thereby limiting access to the information to staff. In addition, members of the public cannot access this documentation, as it is not technologically feasible without the Fortis component.

The Fortis Imaging and Electronic Management System is the next logical step in developing the City Clerk's overall computerized records management system. This project will allow the public to view and copy all public records that have been made a part of the FileMagic system. It is believed that this will greatly decrease the requests received by the Clerk's Office for copies of public records and that this will enhance the use of access and availability to public records by the public. This would be the next step in the City Council's effort to further automate the City and computerize records management.

The system is comprised of software that will be provided by Appleby & Company, Inc., who is the regional provider of FileMagic and Fortis, and the hardware will be purchased in accordance with Resolution No. 98-72. The total project cost is approximately \$80,000 as spelled out below:

Document Imaging Software	\$15,615.00
Powerweb Software	\$12,995.00
Implementation and training	\$15,000.00
Service and support	<u>\$ 7,370.00</u>
Subtotal	\$50,980.00
 Servers (2x) including NT SQL Server	 <u>\$29,020.00</u>
 Total	 <u>\$80,000.00</u>

City Clerk Reimche responded to questions regarding the matter as were posed by Council Member Hitchcock, indicating that each year the City Clerk's Office responds to approximately 5,000 requests for information. This project will allow the public to view and copy all public records that are a part of the FileMagic system.

Mrs. Reimche further explained that such access to records kept in the custody of the City Clerk's Office is just the first step as other City departments will be adding information for public access.

Information Systems Manager Helmle responded to questions from the City Council and pointed out his belief that the purchase of the Fortis document imaging system and hardware to allow for Internet access to documentation goes far toward achieving the City Council goal of "enhancing access to information".

The City Council, on motion of Council Member Hitchcock, Pennino second, unanimously adopted Resolution No. 99-117 approving the purchase of Fortis document imaging system and hardware to allow for Internet access to documents under the custody of the City Clerk's Office.

- c) Agenda item #E-14 entitled, "Authorize City Manager to execute professional services agreement with Parsons Harland Bartholomew & Associates for the preparation of an Environmental Impact Report (EIR) for the ProStyle Sports Complex".

Both Community Development Director Bartlam and Deputy City Manager Keeter reminded the Council that the City of Lodi has been in discussion with ProStyle Sports, a private group headed by John Verner of Stockton, to develop a multi-use sports complex on a portion of City-owned property located at the White Slough Water Pollution Control Facility. The project would encompass approximately 400 acres of the 1,036 acres owned by the City at the White Slough complex. The proposed site is located on the eastside of I-5, adjacent to Thornton Road, approximately 2 miles south of State Highway 12. The project objective is to create a world-class athletic-training and sports events center with visitor accommodations, limited retail commercial and support facilities.

The complex will be designed so that the City can continue to utilize the property to apply treated wastewater from the White Slough treatment plant. All fields and landscaping will be irrigated with recycled water and treated water may also be utilized in fire suppression systems and other facilities in the complex. All recycled water utilized in the complex will be treated to a tertiary level, which is one level of treatment above the current secondary treatment at White Slough.

City staff has determined that an environmental document should be prepared at this stage to identify significant environmental impacts that may result from the project. This will give all parties a better understanding of the potential impacts of the project, how to possibly mitigate these impacts and how the mitigations may affect the project. The EIR process will also allow public comment and provide an opportunity for interested parties to express their ideas regarding the proposal.

The City sent a request for proposal for the EIR to approximately 15 qualified consulting firms in the area. We received 8 proposals and interviewed 4 firms. The committee comprised of the Community Development Director, Senior Planner, Public Works Director and Deputy City Manager, selected Parsons based on the qualification of their staff, their experience with similar projects, and the value of their bid relative to their proposed work program. Staff is confident that Parsons can accomplish the task and produce an environmental document that will meet the requirements of CEQA.

It was requested that the City Council authorize the City Manager to sign a contract for \$94,970 plus a 15% contingency for a total of \$109,216 with the firm of Parson Harland Bartholomew & Associates. Cost for the EIR will be paid by the project developers and managed by City staff.

Following a brief discussion, the City Council, on motion of Council Member Hitchcock, Nakanishi second, unanimously authorized the City Manager to execute a professional services agreement with Parsons Harland Bartholomew & Associates for the preparation of an Environmental Impact Report (EIR) for the ProStyle Sports Complex.

- d) Agenda item #E-20 entitled, "United States Department of Energy Western Area Power Administration Central Valley Project, California Contract Amendment for a Right to Purchase Electric Service under the 2004 Power Marketing Plan with the City of Lodi".

Electric Utility Director Vallow reported that contract 92-SAO-20056 (primary contract) by which the City of Lodi purchases power from the Western Area Power Administration (WAPA) will terminate on December 31, 2004.

Approval of this amendment indicates the City's intent to secure its right to purchase power from WAPA after termination of the primary contract and lists a series of commitment dates to which the City must adhere. The actual terms and conditions of electric service will be set forth in a separate future contract.

Following a brief discussion, the City Council, on motion of Council Member Nakanishi, Hitchcock second, adopted Resolution No. 99-126 authorizing the City Manager to execute the United States Department of Energy WAPA Central Valley Project, California Contract Amendment for a right to purchase electric service under the 2004 Power Marketing Plan with the City of Lodi by the following vote:

Ayes: Council Members – Hitchcock, Mann, Nakanishi and Land (Mayor)
Noes: Council Members – None
Absent: Council Members – None
Abstain: Council Members – Pennino

7. PUBLIC HEARINGS

- a) Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Land called for the Public Hearing to consider the adoption of the following Uniform Codes as approved by the State of California:

- Uniform Building Code – 1997
- Uniform Plumbing Code – 1997
- Uniform Mechanical Code – 1997
- Uniform Housing Code – 1997
- Uniform Code for the Abatement of Dangerous Buildings – 1997
- National Electric Code – 1996

Community Development Director Bartlam reported that the Uniform Codes for construction are published every three years. The State of California adopts these Codes by reference and requires cities and counties to adopt the same within six months. This process assures uniformity between jurisdictions throughout the State.

The Uniform Codes are dedicated to the development of minimum standards, which protect property and human life. The Uniform Building Code guarantees to the purchaser of a property that the structure is constructed adequately to resist earthquake, wind, rain and fire, and will maintain its property value if properly maintained. The Uniform Plumbing, Mechanical and National Electric Codes provide for sanitation, comfort, convenience and life safety in their respective fields. The Uniform Housing Code provides minimum standards for human habitation and the Uniform Code for the Abatement of Dangerous Buildings allows the City to deal with unsafe buildings by either repair or demolition.

In addition to the Uniform Codes, the Building Division is also charged with the enforcement of the State handicap and energy regulations.

Changes to the codes are processed each year and published every three years in a form permitting ready adoption by local communities. Anyone may propose changes to the codes. These changes are carefully reviewed by code committees and are to become part of the code. These meetings allow the free exchange of views leading to changes, which are responsive to the concerns of the construction industry, design professionals and building officials.

Staff presented an overview of the codes at a recent Shirtsleeve Session. It was requested that we make ourselves available to local developers for a review of the changes proposed. We have made contact with a number of the companies doing business in the City as well as the Building Industry Association (BIA). While no one has taken us up on our offer, we will continue to provide that service as requested.

Hearing Opened to the Public

There was no one wishing to speak on this matter.

Public Portion of Hearing Closed

ACTION:

Following additional discussion, the City Council took the following actions:

- On motion of Council Member Pennino, Hitchcock second, unanimously introduced Ordinance No. 1679-A entitled, "An Ordinance Adopting The 'Uniform Building Code', Volumes 1, 2 And 3 Edition, Which Codes Regulate The Design, Construction, Quality Of Materials, Use And Occupancy, Location And Maintenance Of Buildings Or Structures In The City Of Lodi; Providing For The Issuance Of Permits And Collection Of Fees Therefore; Providing Penalties For The Violations Thereof; Repealing Sections 15.04.010, 15.04.020, 15.04.030, 15.04.040, 15.04.050, 15.04.060, 15.04.070, 15.04.080 And 15.04.090 Inclusive Of The Code Of The City Of Lodi, And All Other Ordinances And Parts Of Ordinances In Conflict Therewith";
- On motion of Council Member Hitchcock, Pennino second, unanimously introduced Ordinance No. 1679-B entitled, "An Ordinance Adopting The 'Uniform Plumbing Code', 1997 Edition, Providing For The Establishing Of Minimum Regulations For The Installation, Alteration Or Repair Of Plumbing And Drainage Systems And The Inspection Thereof; Providing Penalties For The Violations Thereof; And Repealing Sections 15.12.010 Through 15.12.200 Inclusive Of The Code Of The City Of Lodi, And All Other Ordinances And Parts Of Ordinances In Conflict Therewith";
- On motion of Council Member Hitchcock, Mann second, unanimously introduced Ordinance No. 1679-C entitled, "An Ordinance Adopting The 'Uniform Mechanical Code', 1997 Edition, Which Code Provides Regulations Controlling The Design, Construction, Installation, Quality Of Materials, Location, Operation, And Maintenance Of Heating, Ventilating, Comfort Cooling, Refrigeration Systems, Incinerators And Other Heat Producing Appliances In The City Of Lodi; Providing For The Issuance Of Permits And Collection Of Fees Therefore; Providing Penalties For The Violations Thereof; And Repealing Sections 15.08.010, 15.08.020, 15.08.030, 15.08.040 And 15.08.050 Inclusive Of The Code Of The City Of Lodi, And All Other Ordinances And Parts Of Ordinances In Conflict Therewith";

- On motion of Council Member Hitchcock, Nakanishi second, unanimously introduced Ordinance No. 1679-D entitled, "An Ordinance Adopting The 'Uniform Housing Code', 1997 Edition, Which Code Provides For The Minimum Requirements For The Protection Of Life, Limb, Health, Property, Safety And Welfare Of The General Public And The Owners And Occupants Of Residential Buildings; Providing Penalties For Violation Thereof; Repealing Sections 15.24.010 Through 15.24.100 Inclusive Of The Code Of The City Of Lodi, And All Other Ordinances And Parts Of Ordinances In Conflict Therewith";
- On motion of Council Member Hitchcock, Pennino second, unanimously introduced Ordinance No. 1679-E entitled, "An Ordinance Adopting The 'Uniform Code For The Abatement Of Dangerous Buildings', 1997 Edition, Which Code Provides Regulations For The Repair, Vacation, And Demolition Of Buildings Or Structures Endangering The Life, Limb, Health, Property, Safety And Welfare Of The General Public And Their Occupants; Providing Procedures And Penalties For Violation Thereof; Repealing Sections 15.28.010 Through 15.28.140 Inclusive Of The Code Of The City Of Lodi, And All Other Ordinances And Parts Of Ordinances In Conflict Therewith"; and
- On motion of Council Member Nakanishi, Hitchcock second, unanimously introduced Ordinance No. 1679-F entitled, "An Ordinance Adopting The 'National Electrical Code', 1996 Edition, Which Code Regulates The Installation, Alteration, Or Addition Of Electrical Wiring, Devices, Appliances, Or Equipment In The City Of Lodi; And Repealing Sections 15.16.010 Through 15.16.190 Of The Codes Of The City Of Lodi, And All Other Ordinances And Parts Of Ordinances In Conflict Therewith".

8. COMMUNICATIONS (CITY CLERK)

- a) On recommendation of the City's Risk Manager and/or the City's contract administrator, Insurance Consulting Associates, Inc. (ICA), the City Council, on motion of Council Member Hitchcock, Land second, unanimously rejected the following claims:
 - 1. Anthony Lucarelli, date of loss 11/7/98
 - 2. Rosa Hernandez, date of loss 4/3/99
 - 3. Dennis Fleck, date of loss 5/25/99
- b) City Clerk Reimche read the following ABC Licenses:
 - 1. Khou Moua to Mohammad Usman and Mohammad Waheed, El Mexicana Market, 10 East Tokay Street, Lodi, Off-Sale Beer and Wine, Person to Person and Premise to Premise Transfer
- c) The following report was presented to the City Council:
 - 1. Planning Commission report of July 28, 1999

9. REGULAR CALENDAR

- a) Agenda item #H-1 entitled, "Truck parking restrictions at various locations".

Public Works Director Prima reported that since 1990, the Public Works Traffic Engineering staff has received 166 complaints related to trucks, or an average of 18 annually. Of these complaints, 137 (83%) were related to truck parking. Twenty-two were related to truck travel, and the remaining 7 involved issues such as inadequate clearance for turning trucks. In response to truck parking complaints, in 1993 Council adopted ordinances prohibiting truck parking in a "residential district" and within 250 feet of a "residential district" if operating the truck engine or refrigerator unit between the hours of 10:00 p.m. and 7:00 a.m. Since then, Council has dealt with specific locations on a case-by-case basis. Restrictions have been adopted on Elm Street at Lakewood

Mall, south Cherokee Lane north of Almond Drive, Beckman Road north of Vine Street, Kettleman Lane at Vineyard Shopping Center, Cherokee Lane north of Harold Street, Kettleman Lane west of Beckman Road, Cherokee Lane at Pioneer Drive, Pacific Avenue north of Elm Street, Kettleman Lane west of Ham Lane, and Hutchins Street north of Harney Lane. Unresolved truck parking complaints exist at the following locations.

- Harney Lane and Hutchins Street – Shopping Center at northwest corner
- Turner Road west of Rutledge Drive – Plaza Liquors
- Sargent Road west of Lower Sacramento Road – Raley's Shopping Center
- Cherokee Lane north of Poplar Street – Geweke Ford and Plummer Pontiac
- Cherokee Lane north of Kettleman Lane – Sanborn Chevrolet, Perko's Restaurant, Holiday Inn Express
- Kettleman Lane (All) – Subway Sandwiches, various locations

The complaints reviewed includes parked trucks creating visibility problems from driveways, blocking the visibility of businesses making it difficult to see into the business, and aesthetics. The Police Department was contacted regarding the safety concerns related to the visibility of businesses blocked by parked trucks. They indicated that they have a visibility concern from the street, especially at locations such as restaurants and fast food establishments, which can be robbed quickly. There is also a visibility concern when employees walk to their cars with the night deposit at closing time.

Staff checked these locations at five different times of the day to determine truck parking demand. Staff also surveyed all of Cherokee Lane and Kettleman Lane, since these are the roadways with the heaviest truck parking as well as the locations where most complaints are received. The largest number of trucks observed was 34 during the 8:30 p.m. survey. Trucks parking during the remaining four surveys ranged from 6 to 12. There were a total of as many as 13 to 14 trucks parked on each Cherokee Lane and Kettleman Lane. Of the locations where truck parking complaints have been received, the only locations where truck parking was observed on a regular basis was adjacent to the commercial development at the northwest corner of Hutchins Street and Harney Lane, and on Sargent Road west of Lower Sacramento Road in front of Raley's Supermarket. Although truck parking was not observed in front of the auto dealerships on Cherokee Lane, we understand Sanborn Chevrolet places vehicles along its frontage to discourage truck parking.

REVIEW AND DISCUSSION OF PROPOSED OPTIONS

1. Similar to recent actions, Council could amend Traffic Resolution No. 97-148 to adopt no commercial-vehicle parking between certain hours. Staff presented the following option for specific locations, distances, and recommended hours:

Harney Lane & Hutchins Street (Area 1)

- Install 20 feet of no parking east of both driveways on Harney Lane.
- Install No Commercial Vehicle Parking from 7:30 a.m. to 9:00 p.m. along remaining frontage on Harney Lane and Hutchins Street

Turner Road west of Rutledge Drive (Area 2)

- Install 20 feet of no parking on Turner Road just west of Rutledge Drive.
- Install no parking of vehicles six feet or more in height on Turner Road to 100 feet west of Rutledge Drive

Sargent Road west of Lower Sacramento Road (Area 3)

- Install 20 feet of no parking west of the four driveways on Sargent Road.
- Install No Commercial Vehicle Parking from 7:30 a.m. to 9:00 p.m. along remaining frontage on Sargent Road.

Cherokee Lane north of Poplar Street (Area 4)

- Install No Commercial Vehicle Parking from 7:30 a.m. to 9:00 p.m. along remaining frontages.

Cherokee Lane north of Kettleman Lane (Area 5)

- Install 20 feet of no parking south of the driveways and in front of fire hydrants.
- Install No Commercial Vehicle Parking from 7:30 a.m. to 9:00 p.m. along remaining frontages.

Kettleman Lane east of Central Avenue (Area 6)

- Install No Commercial Vehicle Parking from 7:30 a.m. to 9:00 p.m. from Central Avenue to Voelker Drive.

2. One option is to authorize the Public Works Director to install longer lengths of no-parking zones and restrict commercial-vehicle parking. Currently, per Lodi Municipal Code (LMC) Section 10.44.020(F), the Public Works Director can install up to 20 feet of no parking. Increasing this distance to 100 feet will cover most circumstances where sight distance is a problem. Commercial-vehicle parking restrictions are currently adopted by Council resolution amending Section 3, "Street Parking Restriction", in Traffic Resolution 97-148.

Giving staff more authority to regulate parking should expedite response time and allow easy removal of the restriction should conditions change. We would do so in consultation with the business and/or property owner. We could establish an internal work group (i.e., Police, Community Development, Economic Development) to review complaints and take action. In cases where the person making the request disagrees with staff's conclusion, the City Council would be available to make the final decision. Staff presented the following option regarding this recommendation:

➤ **Amend Traffic Resolution 97-148 to:**

- Delete Section 3, subsections C.9, C.10 and C.11 and D.
- Add new Section 3.D:

The Public Works Director is authorized to establish commercial vehicle parking restrictions on public streets at all times or during certain hours and to designate segments of streets within 100 feet of an intersection as no parking of vehicles six feet or more in height.

For purposes of this section, commercial vehicles shall mean vehicles exceeding a maximum gross vehicle weight rating (GVWR) of over 10,000 pounds and shall not apply to vehicles in the process of loading or unloading.

➤ **Amend LMC §10.44.020 F from "twenty" feet to "one hundred" feet.**

3. Another option is to modify existing truck parking ordinances to allow truck parking only in specified industrial areas. Truck parking in all other locations would be illegal unless the truck is in the process of making a pick up or delivery.

Only permitting truck parking in selected areas would eliminate the truck parking complaints we currently have, but is likely to generate some from the businesses in the selected industrial area(s). Other concerns are related to drivers getting to and from their trucks and whether or not truck parking would be allowed for extended periods. If truck drivers replace their trucks with the cars they use to get there, parking would be reduced in front of adjacent businesses. Also, since

truck-parking surveys performed show there are a significant amount of trucks parking during normal business hours, it is likely the affected businesses would want parking limited.

4. The final option is to take no action and continue to review each location on a case-by-case basis. This option is the most time consuming to Council and staff. Leaving conditions as they are will continue to require Council action on all visibility complaints unless they can be resolved by the installation of 20 feet or less of no parking. While this is often enough in residential area and on lower speed streets, it does not work on the busier streets with higher speeds where we have been receiving truck complaints. Although this option will continue to involve Council, it may expose the City to the lease liability.

Providing Truck Parking

Nearly every discussion about restricting truck parking has included comments in support of independent truck drivers who need some place to park. There are no full-service truck stops in the City and relatively few commercial establishments that provide truck parking. There is at least one private industrial lot available for parking space rental. While there have been some suggestions that the City operate a truck parking lot, there has been some concern expressed that the City of Lodi should not get into the business of competing with others operating truck-parking establishments. And, whether such a lot is public or private, allowing substantial amounts of on-street parking provides little incentive for use of a lot. While the City has vacant land that could be developed for this use, the capital costs would likely exceed \$100,000.

One option being explored is a permit system specifying certain streets for truck parking. Streets that would affect no businesses because the adjacent property is not developable, and are also wide enough to accommodate truck parking, include the south side of Lodi Avenue east of Beckman Road adjacent to the railroad line and the east side of Guild Avenue between Lodi Avenue and Pine Street adjacent to the cemetery. Including streets along vacant lots that haven't been developed yet could be done but would likely present a problem later.

Security for the trucks could be contracted out to a private firm by the City and funded by fees collected for the permits. Truck drivers would have to display the permits (stickers) on their trucks to be eligible to park in the designated areas. Since the drivers are paying for the security of their trucks, there is also some liability concern related to vandalism. Cost to provide one security guard, in a vehicle, is approximately \$15 per hour. This translates to \$55,000 per year for 10 hours of coverage each night. Assuming 30 permits, this would mean the permits would cost \$150 per month at a full cost recovery. If Council chooses to pursue this program, staff will return with a report and recommendation to set a public hearing.

Public Works Director Prima reported on the policies of various other cities, as shown below:

City of Sacramento – Illegal to park commercial vehicles with a GVWR of 10,000 lbs. or more in a residential area.

City of Stockton – Illegal to park vehicles having a gross weight limit exceeding three tons except on designated truck routes. Also illegal to park commercial vehicles for more than 60 minutes between the hours of 2:30 a.m. and 5:00 a.m. where the abutting lot is zoned either residential or commercial. Stockton is a charter city.

City of Tracy – By resolution, Council may restrict parking of vehicles with GVWR or 10,000 lbs. or more between 2:00 a.m. and 6:00 a.m. in a residential district. The City Manager may grant permits exempting vehicles from the restriction in areas lacking adequate off-street parking.

City of Roseville – Illegal to park vehicles with GVWR of 10,000 lbs. or more in a residential district.

City of Galt – Illegal to park commercial vehicles exceeding a maximum gross weight limit of five tons in residential district. With the exception of two roadways, parking in other districts is limited to two hours.

City of Livermore – Illegal to park commercial vehicles in residential districts. Truck parking in other areas handled on a case-by-case basis using vehicle length limitations.

City of Novato – Illegal to park vehicles over five tons except on truck routes.

Speaking on the matter were the following persons:

1. Gary Lund, P.O. Box 22, Lodi, stated that this is really a two-fold situation and involves local people that drive for out-of-area companies. Mr. Lund indicated that there needs to be a designated area for truck parking established either privately or with City involvement. Mr. Lund suggested that the DeBenedetti Park area be used.
2. John Sutphin, 321 East Century Boulevard, Lodi, stated that he has watched the problem increase over the last three years and feels that the City needs to face the problem. He indicated that he would favor a privately-owned truck parking area, but would not be in favor of a City facility.
3. Ronald Coale, Local Government Consultant for the California Trucking Association, stated that in the past their organization has worked with the City proactively on related problems. He wanted to assure the City Council that their Association wants to do what is right and work with the City in every possible way toward the resolution of this problem.
4. Gail Lund, P.O. Box 22, Lodi, stated that safety comes first. However, this problem should not only address large trucks, but also vans, motor homes and pickups as all of these types of vehicles can cause sight distance problems.
5. Jackie Sutphin, 321 East Century Boulevard, Lodi, stated that she agreed with Mr. Lund. Further she commented that with the growth of Lodi, we should have established truck routes.
6. Penny Rister, 2223 Burton Way, Lodi, stated that they are truckers who spend four days a month at home. She feels that situations like theirs need to be addressed.

A very lengthy discussion followed with questions regarding the matter being directed to staff and to those who had addressed the City Council.

The City Council, on motion of Mayor Pro Tempore Mann, Hitchcock second, directed staff to prepare the necessary documentation banning trucks weighing more than 10,000 pounds from parking during the daytime on any public street except in designated industrial areas. Parking in front of retail stores in industrial areas would not be allowed. This exception will expire in one year from its effective date at which time a complete truck-parking ban on City streets will go into effect.

The motion carried by the following vote:

Ayes: Council Members – Hitchcock, Mann, Nakanishi and Land (Mayor)

Noes: Council Members – Pennino

Absent: Council Members – None

10. RECESS

Mayor Land called for a fifteen-minute recess, and the City Council meeting reconvened at approximately 10:15 p.m.

11. ORDINANCES

- a) Ordinance No. 1676 entitled, "An Ordinance Of The Lodi City Council Amending The Official District Map Of The City Of Lodi And Thereby Rezoning A Portion Of 1245 Woodhaven Lane (APN 015-230-32) From Planned Development (PD) To Neighborhood Commercial, C-1 (Wine & Roses)" having been introduced at a regular meeting of the Lodi City Council held August 4, 1999 was brought up for passage on motion of Council Member Pennino, Hitchcock second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by the following vote:

Ayes: Council Members – Hitchcock, Mann, Nakanishi and Pennino
Noes: Council Members – None
Absent: Council Members – None
Abstain: Council Members – Land (Mayor)

(Due to a conflict of interest, Mayor Land abstained from discussion and voting on this matter.)

- b) Ordinance No. 1677 entitled, "An Ordinance Of The Lodi City Council Amending The Official District Map Of The City Of Lodi And Thereby Rezoning 1549 And 1611 West Kettleman Lane, From RCP, Residential Commercial Professional And R-2, Residential Single-Family To PD(33), Planned Development" having been introduced at a regular meeting of the Lodi City Council held August 4, 1999 was brought up for passage on motion of Council Member Hitchcock, Mann second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by the following vote:

Ayes: Council Members – Hitchcock, Mann, Nakanishi, Pennino and Land (Mayor)
Noes: Council Members – None
Absent: Council Members – None

- c) Ordinance No. 1678 entitled, "An Ordinance Of The City Council Of The City Of Lodi Amending Title 9 – Public Peace, Morals And Welfare By Adding Chapter 9.14 To The Lodi Municipal Code Relating To Interference With Special Events" having been introduced at a regular meeting of the Lodi City Council held August 4, 1999 was brought up for passage on motion of Mayor Land, Nakanishi second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by the following vote:

Ayes: Council Members – Hitchcock, Mann, Nakanishi, Pennino and Land (Mayor)
Noes: Council Members – None
Absent: Council Members – None

12. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- a) Janet Graham, who identified herself as a member of Citizens Protecting Our Property (CPOP), Peltier Road, Lodi, presented the City Council with documentation indicating that CPOP's mission statement is: *"California needs clean sources of energy; however, the Lodi Gas Storage project **does not** need to cut across prime agricultural land and **should not** have the power of eminent domain to do so"*.

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The City Council was apprised by Ms. Graham that hearings are being held in San Francisco regarding a proposed pipeline and storage facility in Acampo, California. The proposed pipeline is a 30" and 24" line to carry natural gas from the California Delta to an existing underground storage facility in Acampo.

There would be a compressor station in the vicinity of the Lodi airport and a separator station near the local residences at the corner of Bruella and Jahant. The pipeline route would come in part through vineyards, cutting a 75 foot wide path for the construction and then leaving a 30 foot right of way for maintenance of the pipeline. There would be air pollution to the extent of 305 tons per year. Western Hub Properties, LLC from Houston, Texas, is attempting to use the theme of "eminent domain" to push this project through under the name of Lodi Gas Storage (LGS).

It was stated that they as a community do not want to lose what they have built there. If approved, it would seriously lower land values and the quietness of this area.

Lodi-Acampo-Woodbridge and the surrounding area now exceed Napa Valley as wine producing grape growers.

Community Development Director Bartlam advised that the EIR for this project has not yet been received and outlined the hearing process.

Other persons addressing the City Council voicing their disapproval of the project were:

- a) Joe Peterson, 25030 North Bruella Road;
- b) Laddie Erberle, 720 Cypress Run, Woodbridge; and
- c) Nancy Leventini, Peltier Road, Acampo.

It was announced that the Shirtsleeve Session of September 14, 1999 has been tentatively scheduled for this topic.

13. COMMENTS BY CITY COUNCIL MEMBERS ON NON-AGENDA ITEMS

- a) Mayor Land announced that the CalWorks Case Management Site (The Concilio) opened this past week at 498 East Kettleman Lane, Lodi.
- b) Council Member Hitchcock stated that the City Council now has a presence at the Thursday night Farmers Market at a location in front of Bank of America and identified as "City Talk". She indicated that she was present last Thursday night and both she and Mayor Land will be there at the August 19th Farmers Market. Council Member Nakanishi stated that he will be there on September 2, 1999.

14. CLOSED SESSION

Mayor Land announced that there was no need to meet in Closed Session to discuss the following matters:

- a) Conference with labor negotiator, Human Resources Director Joanne Narloch, regarding Lodi Police Officers' Association (LPOA) pursuant to Government Code §54957.6
- b) Prospective lease of City property at 650 North Stockton Street, the negotiating parties are Lodi Unified School District (LUSD) and the City of Lodi; price and terms of the lease are under negotiation. Government Code §54956.8

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15. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at approximately 10:55 p.m.

ATTEST:

Alice M. Reimche
City Clerk